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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

KELVIN D. DANIEL, et al

Plaintiffs,

v.

SWIFT TRANSPORTATION  
CORPORATION,

Defendant.

Case No. 2:11-cv-01548-PHX-ROS

**NOTICE OF DEPOSITION**

Assigned to: Hon. Roslyn O. Silver

TO: John F. Lomax, Jr.  
Brian J. Foster  
Joseph A. Kroeger  
SNELL & WILMER  
One Arizona Center  
400 E. Van Buren  
Phoenix, AZ 85004-2202

1 You are hereby notified that, pursuant to Ariz. R. Civ. P. 26 and 30, counsel for  
2 Plaintiffs will take the oral deposition of the person whose name and address is stated  
3 below, at the time and place stated below. Such deposition will be recorded by  
4 stenographic means by a court reporter duly authorized to administer oaths. The taking of  
5 said deposition may be adjourned or continued from time to time without further notice  
6 other than oral notice to counsel at the time of such adjournment or continuance.  
7

8 PERSON TO BE DEPOSED: Gary Fitzsimmons

9 DATE AND TIME OF DEPOSITION: August 2, 2012 at 10:30 AM

10 LOCATION: Snell & Wilmer, LLP  
11 One Arizona Center  
12 400 East Van Buren Street  
13 Suite 1900  
14 Phoenix, Arizona 85004

15 Any and all of said deposition testimony may be offered into evidence at the trial  
16 of the above-entitled and numbered cause.

17 DATED this 13<sup>th</sup> day of July, 2012

18 STUMPHAUZER, O'TOOLE, McLAUGHLIN,  
19 McGLAMERY & LOUGHMAN CO., LPA

20 By: /s/ Matthew A. Dooley

21 Matthew A. Dooley

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 13, 2012, I electronically transmitted the above and foregoing to the Clerk's Office using the ECF System for filing, and furnished a copy by other means, as necessary pursuant to the Notice of Electronic Filing, to:

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s/ Matthew A. Dooley  
Matthew A. Dooley  
*Counsel for Plaintiffs*